

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DONNA CURLING, et al.,**

**Plaintiffs,**

**v.**

**BRAD RAFFENSPERGER, et al.,**

**Defendants.**

**CIVIL ACTION FILE NO.:  
1:17-cv-2989-AT**

**DECLARATION OF MEGAN MISSETT**

**MEGAN MISSETT** hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I have personal knowledge of the facts stated in this declaration, and if called to testify, I could and would testify competently thereto.

2. I am a Fulton County registered voter residing in Atlanta. I endeavor to participate in all elections for which I am eligible to vote, and plan to continue to do so.

3. A true and correct copy of my voter history as it currently appears on the Secretary of State's MVP page is attached as Exhibit 1.

4. Prior to March 2020 I voted on the DRE system in many elections as is documented by the data on Exhibit 1.

5. After the BMD system was adopted, I was torn between voting on the insecure electronic ballot marking device system and attempting to vote absentee by mail.

6. I much prefer to vote in person, and feel strongly about the value of joining other members of my community in person, and exercising my right to vote alongside my neighbors. I consider it a meaningful civic ritual.

7. However, I am not confident that my vote on a BMD has or will be recorded a cast because the BMD voting system is not adequately secure, it is at risk of compromise and malfunction, and it doesn't allow a valid auditing process that might mitigate against these vulnerabilities.

8. On the other hand, I have experienced that absentee by mail voting, while providing the opportunity to vote on a secure, auditable hand-marked paper ballot, brings its own risks.

9. Along with friends and family and other CGG members I work with, I have had the experience of requesting an absentee ballot and having it go wrong. I attempted to vote absentee by mail for the June 9, 2020 General Primary Election, but did not receive my ballot from Fulton County in time to return it. Attached as **Exhibit 2** is a true and correct copy of emails between me and Rick Barron, Fulton County Election Director, dated June 3, 2020. Mr. Barron and his

staff tried to address the failure to process my request for an absentee by mail ballot, but I still did not receive a mail absentee ballot by Election Day, June 9, 2020. As a result of my inability to obtain an absentee ballot, I voted early in-person on June 5, 2020, cancelling the absentee ballot at the polling place, for fear I would miss my chance to vote.

10. In addition, starting in the summer or fall of 2020, the USPS service in my area (30306) became extremely unreliable, with some mail taking weeks to arrive to us, if it all. It's impossible to predict whether mail will arrive on time at my residence.

11. After SB202 shortened the time for voting absentee by mail, and reduced the number of convenient drop boxes, it became even more risky and inconvenient for me to rely on absentee by mail voting.

12. Additionally, since September 2021, I have been frequently called away as the primary caregiver for an elderly relative out of state, and the unpredictability of this has made it necessary to vote in person, as I may not be in Atlanta to execute the steps involved in voting by mail or follow up on mail ballot issuance and acceptance problems.

13. I am frustrated that I have to choose between voting on an insecure BMD, or trying to vote by mail, when using that process as it now exists brings the

risk of not being able to vote at all. I would very much prefer to exercise my right to vote in-person, on a secure, auditable hand-marked paper ballot. I believe that every voter deserves the right to vote with confidence, knowing that their vote is secure and auditable, and will be cast and counted.

14. Since January 2020, I have voted absentee by mail in the two elections: November 3, 2020, General Election and the January 5, 2021 U.S. Senate Runoff Election.

15. Since January 2020, I have voted in polling places on BMDs, either on Election Day or early in-person, in the following ten elections:

- March 24, 2020, Presidential Preference Primary Election, voted early in-person on March 9, 2020;
- June 9, 2020, General Primary Election, voted early in-person on June 5, 2020;
- August 11, 2020, Primary Runoff Election, voted in-person on Election Day on August 11, 2020.
- September 29, 2020, Special Election, voted in-person on Election Day on September 29, 2020.
- November 2, 2021, Municipal General Election, voted in-person on Election Day on November 2, 2021;

- November 30, 2021 Municipal General Election Runoff, voted in-person on Election Day on November 30, 2021;
- May 24, 2022, General Primary Election , voted in-person on Election Day on May 24, 2022;
- June 21, 2022, Primary Runoff Election, voted in- person on Election Day on June 21, 2022.
- November 8, 2022, General Election, voted early in-person on October 24, 2022.
- December 6, 2022 Gen/Spec Election Runoff, voted early in-person on December 2, 2022.

16. The requirement for the voter to review the BMD ballot for accuracy prior to casting their ballot is onerous, impractical and nearly impossible based on my personal experience. For example, I voted in the May 2022 Democratic Party primary on a BMD. There were approximately 45 contests and questions on my ballot.

17. Although I am a knowledgeable, conscientious and engaged voter, with the good fortune of being well-educated, it would be nearly impossible for me to memorize the 45 contests and questions on the ballot to check the accuracy of the machine's recording of my choices in the readable text.

18. I am very uncomfortable with the way my votes are displayed in the polling place on the elevated carriers Fulton County uses, making the problem of the visible touchscreen worse. In Fulton County I find it difficult to vote privately in the polling place, given the placement of the touchscreens.

19. The touchscreen display notifies me before I print my ballot if I choose to skip a race and not vote that particular contest. The screen also notifies me if I attempt to vote for more than one candidate in a race. The notification messages on the screen are not private and can be seen by neighboring voters or observers in the polling place.

20. I have spent many volunteer hours in every election year through 2021, campaigning for candidates and working in get out the vote efforts. However, I have found it difficult to honestly give voters confidence that their vote will be counted as intended given the poor security of the BMD system.

21. I object to the fact that my vote that is counted by the system is encoded in a QR code that I cannot read before I cast my ballot. If the BMD wrongly encodes my ballot, I have no way of detecting or correcting it.

Executed on this date, February 2, 2023

  
Megan Missett